

# English Learners and Title III Implementation

Presenter:  
Audrey Lesondak  
Title III/EL/Bilingual Education Consultant

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# Title III-A Implementation

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# English Learner Alphabet Soup

- EL

- ELP/D

- DLL

- LEA

- LIEP

- LEP

- LAU



# English Learner Alphabet Soup

- **EL- English Learner**
- **ELP/D - English Language Proficiency/Development**
- **DLL- Dual Language Education**
- ***LEA Local Education Agency***  
*-District/School*
- **LIEP - Language Instruction Education Program**
- **LEP – Limited English Proficient (parents)**
- ***Lau v Nichols (1974) – Language Education Program.***

# English Learner

According to the federal definition as described in the ESEA, an English Learner student is defined as:

A student

- (A.) who is aged 3 through 21;
- (B.) who is enrolled or preparing to enroll in an elementary school or secondary school;
- (C.)(i.) who was not born in the United States or whose native language is a language other than English; and who comes from an environment where a language other than English is dominant. (partial)



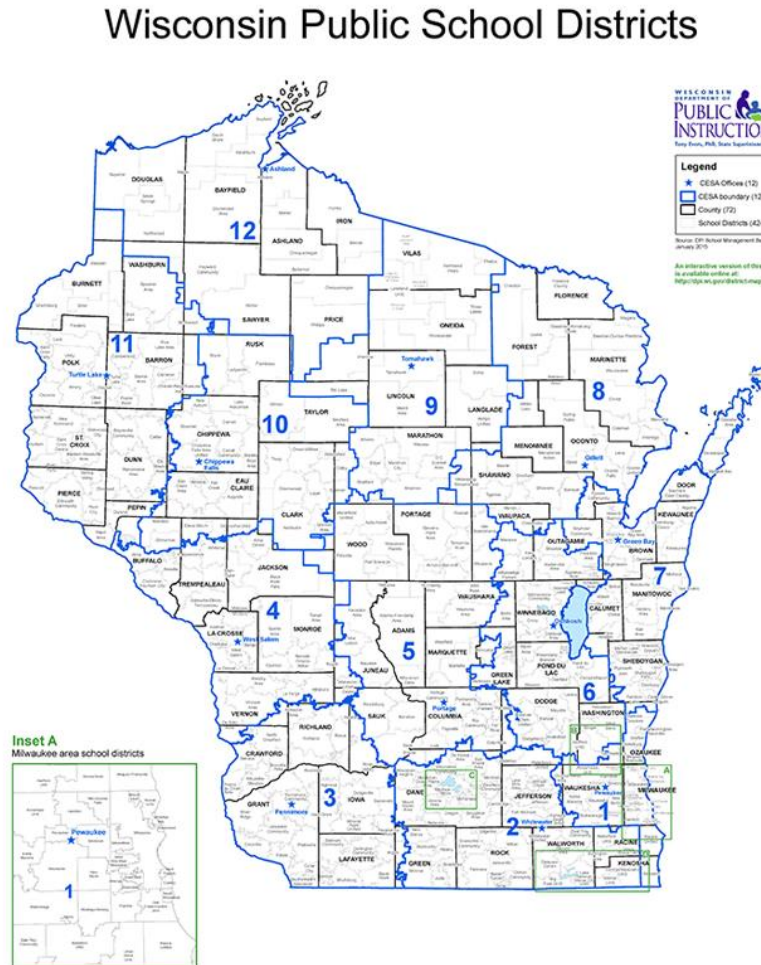
# Wisconsin English Learner Population 2016-17

**49,000 public school ELs  
+ 2,500 private school ELs**

**= 51,500 Total English Learners**

**New US Department of Education Website**  
Characteristics of English Learners (2015-16)

[https://www2.ed.gov/datastory/el-characteristics/index.html?utm\\_content=&utm\\_medium=email&utm\\_name=&utm\\_source=govdelivery&utm\\_term=#intro](https://www2.ed.gov/datastory/el-characteristics/index.html?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=#intro)



## 10 Languages by ELs

30375	Spanish
6838	Hmong
815	Arabic
603	Chinese
558	Somali
430	Karen
328	Russian
318	Albanian
285	Burmese
259	Vietnamese

# ELP Coding in State Data Collections

**Students with ELP classifications of 1-5 are considered English Learners\***

- 1 = ELL/EL/LEP Beginning Preproduction. (WIDA label: Entering)**
- 2 = ELL/EL/LEP Beginning Production. (WIDA label: Beginning)**
- 3 = ELL/EL/LEP Intermediate. (WIDA label: Developing)**
- 4 = ELL/EL/LEP Advanced Intermediate. (WIDA label: Expanding)**
- 5 = ELL/EL/LEP Advanced. (WIDA label: Bridging)**
- 6 = Formerly ELL/EL/LEP, now fully English proficient**
- 7 = Fully English proficient, never ELL/EL/LEP**



# General Purpose of Title III



To help ensure that English Learners (ELs), including immigrant children and youth, attain English language proficiency and meet the same standards that all children are expected to meet. (Section 3102 of the ESEA, as amended by the ESSA)





# Title III Required Activities

- 1) To increase the English language proficiency of English Learners by providing effective Language Instruction Educational Programs
- 2) To provide effective professional development to classroom teachers, principals and other school leaders, administrators, and other school or community-based organizational personnel
- 3) To provide other effective activities and strategies that enhance or supplement LIEPs for ELs, which must include parent, family, and community engagement activities, and may include strategies that serve to coordinate and align related programs



# “Effective” Language Instruction Education Programs

LIEPs should demonstrably result in improved English language proficiency and academic achievement for ELs to be considered “effective” for purposes of the Title III requirement.

States are required to monitor LEAs implementing Title III and to take steps to further assist districts in reaching this goal.

*According to Consteñeda v Pickard (1981), language education program must be:*

- Based on sound educational theory
- Implemented effectively with resources for personnel, instructional materials, and space
- Proven effective in overcoming language barriers



# Supplement not Supplant

- Title III has its own provision prohibiting supplanting of other federal, state, and local fund.
- The amended supplement-not-supplant provision in ESEA that applies to Title I does not apply to Title III.
- Title III funds cannot be used to fulfill an LEAs obligation under Title VI of the Civil Rights Act of 1964 and the Equal Educational Opportunities Act (EEOA).



# Supplement not Supplant

In general, it is presumed that supplanting has occurred if

- LEAs use federal funds to provide services that the LEA was required to make available under other laws.
- An LEA uses federal funds to provide services that the LEA provided with other funds in the prior year.



# Supplement-not-Supplant

LEAs may not use Title III funds to administer the annual English language proficiency assessment, *ACCESS for ELLs*.

LEAs may not use Title III funds for purposes relating to identification of ELs.



# Supplement not Supplant Title I/III

An LEA may still use Title III funds for EL-related activities previously required under Title III and now required under Title I as long as:

- the use of funds is consistent with the purpose of Title III and are “reasonable and necessary costs;”
- the use of funds is supplemental to the SEA’s or LEA’s civil rights obligations to ELs under Title VI and the EEOA; and
- the SEA or LEA can demonstrate it is also using Title III funds to conduct activities required under Title III.

Examples include

- EL parent notifications about language programs
- EL reporting
- Parent participation activities



# Translation and Interpreting Services

- Title III funds may be used for supplemental translation and interpretation activities that are not provided for all students and are for activities specific to Title III.
- Title III funds may not be used to pay for translation and interpretation costs on state academic achievement assessments.
- Title III funds may not be used to provide translation or interpretation services to meet Civil Rights obligations to ensure meaningful communications with LEP parents/guardians.



# Examples of Allowable Uses of Title III Funds

- Family literacy and potential outreach
- Tutoring or mentoring
- Identification and acquisition of specialized curriculum and supplemental classroom materials
- Transportation costs directly related to the provision of supplemental services for students and training for staff





# Supplement not Supplant

**4 Key questions to consider when determining whether Title III funds can be used without violating the supplement not supplant requirement.**

1. What is the instructional program or service provided to all students?
2. What does the LEA do to meet its *Lau* obligation?
3. What services is the LEA required by other Federal, State, and local laws or regulations to provide?
4. Was the program or service previously provided with federal, state or local funds?



# Supplement-not-Supplant Test?

Based on the answers to these questions, would the proposed funds be used to provide an instructional program or service that is *in addition to or supplemental to* an instructional support that would otherwise be provided to English Learners, or be required to be provided by other laws or regulations in the absence of Title III funds?



# Test Your Knowledge

Interpreters and Translation  
Professional Development  
Family Engagement

السلام  
Peace



# Test Your Knowledge: Interpreting and Translating

May Title III funds be used to pay for Interpreting for potential English Learners and their parents at school enrollment?

**No**

**LEAs have the obligation to meet the language needs of parents who are not proficient in English.**

May Title III funds be used to pay for paraprofessionals to translate for IEP meetings?

**No**

**This is an IDEA obligation.**



# Test Your Knowledge: Interpreting/Translating

May Title III funds be used to pay for interpreting services for students and their parents at parent-teacher conferences?

**Mostly No Sometimes Yes**

**Parent-teacher conferences are usually available to all students and are generally a time when teachers connect with parents and families, and use this time to communicate required information about how students are progressing. Title III funds may be used if interpreting is used only to cover communications specific to Title III or for specific events available to parents of English Learners. For example:**

- **An activity specific to EL parents on how access online portal**
- **A targeted family engagement activity to connect families or to share information about supplemental EL supports and services**



# Test Your Knowledge: Paraprofessionals

Can Title III funds be used to pay salaries of paraprofessionals working directly with students in classrooms?

Maybe Yes

**If paraprofessional's time is not funded under other programs such as Title I or Bilingual bicultural program, and the school is meeting its Lau obligation.**



# Paraprofessionals

- All paraprofessionals working with ELs must be under the supervision of an ESL/Bilingual teacher, otherwise the LEA would not be meeting its Lau requirement.
- A paraprofessional who is proficient in English and a language other than English and acts solely as an interpreter to enhance the classroom participation of English Learners must have a secondary school diploma or its equivalent but does not have to meet the Title I educational requirements.



# Test Your Knowledge: Professional Development

A district's comprehensive EL program includes multiple program models. This year, the district rolled out a new co-teacher initiative. The district wants teachers to have a better understanding of how to support ELs in a push-in co-teaching model.

May the following activities be funded under Title III?





# Test Your Knowledge: Professional Development

1. EL teacher to attend out-of-state training on the co-teaching?

Yes, so long as it's sustainable and includes practices relevant to English Learners

2. 5<sup>th</sup> grade teacher to attend in-state DP on Co-teaching?

Yes

3. Pre-school Teacher?

Yes

4. Travel and lodging to conference/s?

Yes, cost must be reasonable and allocable

5. Substitute teacher for the EL teacher?

Yes

6. Substitute for the 5<sup>nd</sup> grade teachers?

No

7. Salaries for teachers to work after school to develop joint curriculum?

Maybe yes



# Professional Development and Travel

- Must be of sufficient intensity and duration to have a positive and lasting impact on an educator's performance in the classroom.
- Must be designed to improve the instruction and assessment of EL students; designed to enhance the ability of teachers to understand and use curricula, assessment measures, and instructional strategies; and based on research in increasing students' English proficiency.
- Shall not include activities, such as one-day or short-term workshops and conferences, unless they are a part of a comprehensive professional development plan that is based on an assessment of the needs of the teacher, the supervisor, and the students.



# Test Your Knowledge: Family Engagement

A school plans to hold ESL classes for parents of English Learners. The curriculum focuses on school related topics.

Take a moment to list some activities related to this event are eligible Title III expenses?

- Teacher travel
- Childcare
- Parent travel
- Interpreters
- Curriculum
- Supplies
- Other?



# Title III and WISEgrants

Title III Funding  
Allocation  
Administration Costs  
Consortia  
LEA plan  
Equitable Participation  
Required Used



# Title III-A Formula Allocation

*Total Funds* (TF) available to Wisconsin for subgrantees divided by number of students tested on the ACCESS for ELLs.

The LEA allocation equals the *Per Pupil Allocation* (PPA) multiplied by number of EL students administered the ACCESS test previous year's testing cycle.

2017-18 District *Alphabet*

EL students tested in 2016-17 (ELP 1-5) in grades K-12 X PPA

65 public school students x \$140 = \$9,100

7 non-public school students x \$140\* = \$980

-----  
\$10,080

# WISEgrant Application

Application approval may be expedited if the LEA can provide sufficient details to communicate that the activity is an allowable use of funds and supplanting has not occurred.

Provide and implement other effective activities

- Describe the proposed activity
- Describe the intended outcome
- How will the intended activity supplement the LEA's required core ELD program?

**New:** States are now required to monitor districts implementing Title III and take steps to further assist districts in reaching this goal.



# Title III Consortia Requirements

- LEAs receiving less than \$10,000 are required to participate in consortia to access Title III funds.
- Signature Designee must sign funds over to consortia within the WISEgrant application.  

Select consortia for manage funds option, then select consortia leader, authorized designee digitally signs authorization form.
- LEAs are still responsible for year-end reporting requirements and for providing services to ELs.





# Title III LEA Plan

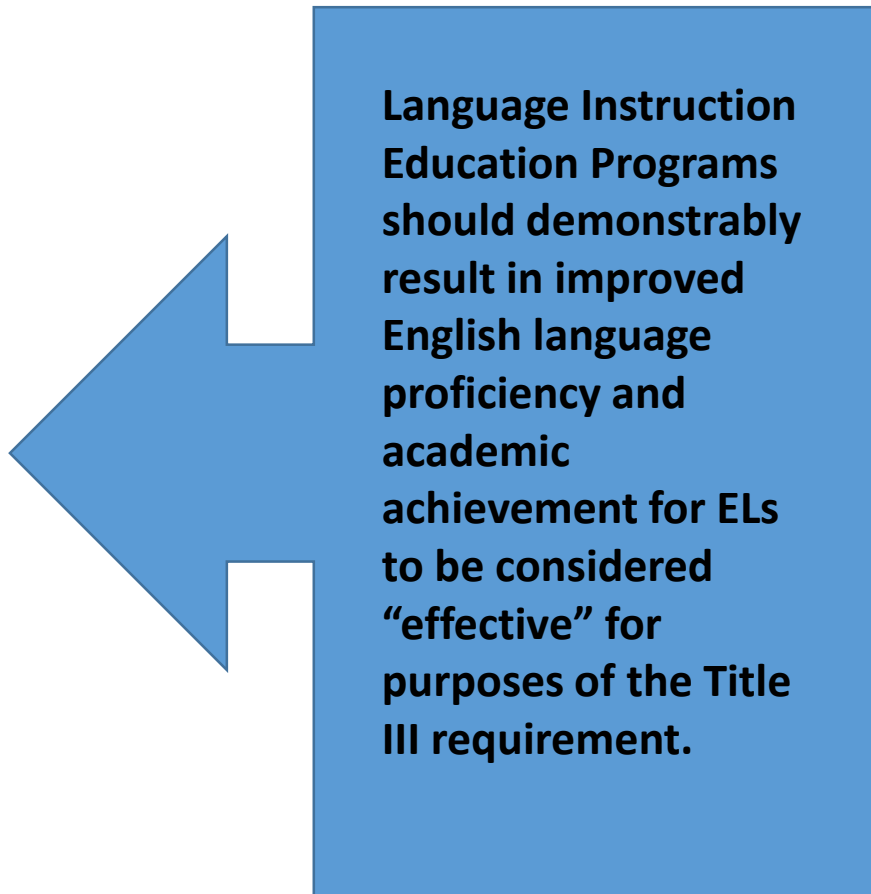
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- Describe the *effective* programs and activities, including language instruction educational programs, proposed to be developed, implemented, and administered under the subgrant that will help English Learners increase their English language proficiency and meet the challenging State academic standards.
  - Describe how you will ensure that elementary schools and secondary schools receiving funds under this subpart assist English Learners in achieving English proficiency based on the State's English language proficiency assessment and consistent with the State's long-term goals; and meeting the challenging State academic standards.
  - Describe how the eligible entity will promote parent, family, and community engagement in the education of English Learners.





# LEA Plan: Aligning Allowable Programs and Activities

- Describe the proposed activity
- Who/what organization will be providing the intended service?
- Who is the intended audience?
- What is the intended outcome?
- What is the duration of this activity?  
How will it be implemented throughout the year?
- How will the intended activity supplement the core ELD program?



Language Instruction Education Programs should demonstrably result in improved English language proficiency and academic achievement for ELs to be considered “effective” for purposes of the Title III requirement.

# Fiscal Administrative and Indirect Costs

- 2% cap on LEA funds for administrative costs. Any funds the LEA reserves for administrative costs may be used only for direct administrative costs.
- An LEA may apply its restricted indirect cost rate to the portion of its subgrant that it does not reserve for administrative costs for up to 98% of its Title III award.



# Required Uses of Title III Funds

Funds must be assigned to all three Title III required activities:

- ✓ Instruction
- ✓ Professional Development
- ✓ Family Engagement

If Title III funds are not used to carryout all three of these required activities, the LEA must identify if:

- ✓ Other state, federal or local funds; or
- ✓ Bilingual Bicultural funds will instead be used to carryout these activities.



# Title III Equitable Services Participation

- Title III participating LEAs must reach out to schools within their boundaries regarding equitable services participation.
- Private school students must be screened and tested annually for EL eligibility.
- The Title III allocation available to private schools is based on number of students tested for previous English proficiency assessment cycle (ACCESS test).
- Funds are managed by the LEA and property is kept in care of the LEA.
- Two percent allowable administration expense is assigned to the district.



# Private School Affirmation Form

- **Equitable Services Participation Form**
  - ✓ Check Yes if funds were generate from the previous year.
  - ✓ Check No if the private school intends to participate in Title III but no funds were generated previously year.
  - ✓ Check No if the private school does not intend to participate in Title III. No added explanation needed.
- One eligible required activity must be assigned for participating private schools that have an allocation.
- Any staff must be employed by either the LEA or a 3<sup>rd</sup> party, not for the Private school.
- Funds assigned to private schools should not exceed the private school allocation available.
- Use of funding must not be in violation of any State law regarding the education of English Learners.
- These requirements apply to LEAs and consortia members.



# Title III WUFAR Project Code: 391

- Funds cannot be assigned to activities previously provided with other federal, state and local funding as this violates the supplement-not-supplant requirement. This includes funding for personnel.
- Assign the percent of a full-time staff position to Title III within the WISEgrant application.

Consider long term implication for staffing assigned to Title III.

## Question:

When is staff assigned to support ELs part of a language education program or providing supplemental services?



# Title III-A WUFAR Project Code: 391

A paraprofessional spends 60% of her time working in a newcomer program assisting recently arrived students from Puerto Rico, a specialized position that supplements the LEA's ESL services. This individual spends another 20% of her time working in a tutoring program and the remaining 20% of her time translating LEA required parent notification forms.

The district can assign 60% of the individual salary and benefits to Title III.

Title III-A –Personnel –Instruction–  
96 – Paraprofessional -- 0070-Bilingual/ESL-  
171000 Culturally/Socially Disadvantaged.

If the district purchases supplemental supplies for EL students participating in this program, these can be assigned to Title III-A.



# WISEgrant Application

**Immigrant Children and Youth  
Grant**

**Statewide EL Entry/Exit  
Procedures**





# Immigrant Children and Youth Grant

State reservation is equal to not more than 15% of the state Title III allocation for immigrant subgrants to LEAs with a “significant increase” in the percent of immigrant children and youth

**New** “Significant increase” in immigrant children and youth can now be based on current fiscal year compared to the average of the last two fiscal years.

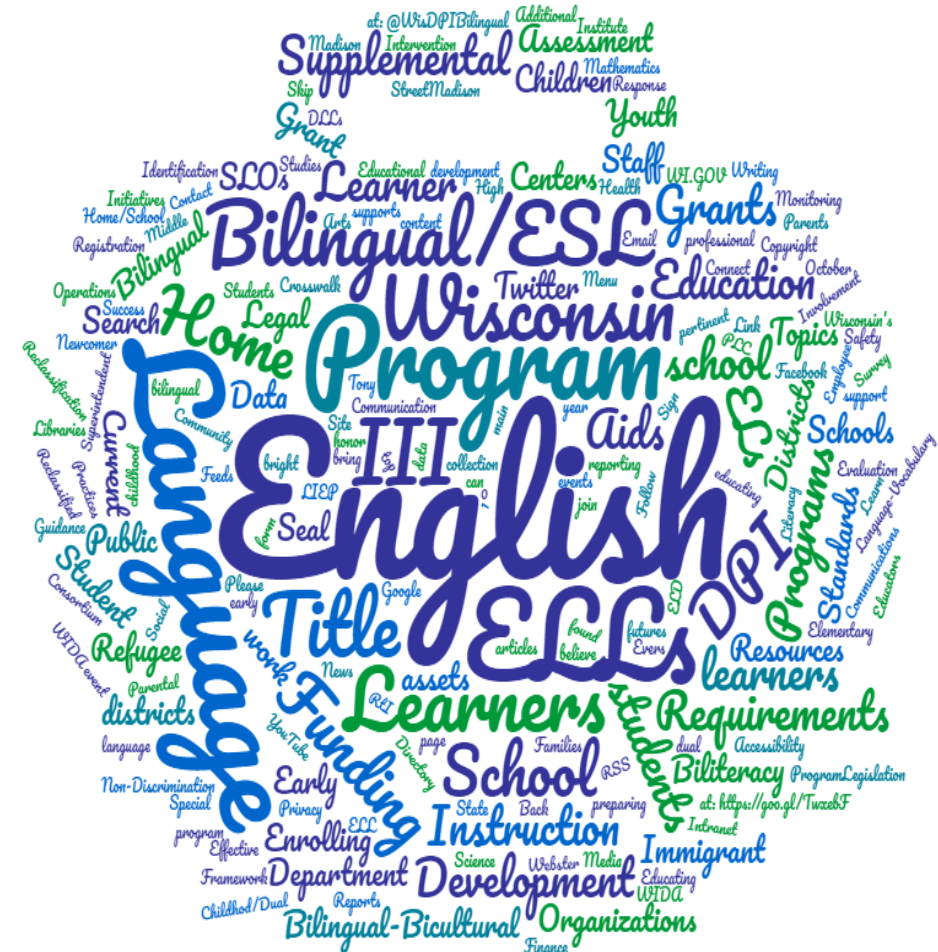
## Immigrants

- are aged 3 through 21;
- were not born in any state (including Puerto Rico); and
- have not been attending one or more schools in any one or more states for more than three full academic years\*.

ESEA, Section 3301(6)

# Statewide Common EL Entry/Exit Procedures

**States must establish and implement, after consultation with districts representing the geographic diversity of the state, standardized EL entrance and exit procedures.**



# Questions

[Audrey.Lesondak@dpi.wi.gov](mailto:Audrey.Lesondak@dpi.wi.gov)

**Title III-EL/Bilingual Education Consultant**



WISCONSIN DEPARTMENT OF  
**PUBLIC INSTRUCTION**  
Tony Evers, PhD, State Superintendent